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FAX COVER LETTER

November 29, 2005

TO:

Examiner Kirsten Apple

COMPANY:

U.S. Patent and Trademark Office - Art Unit 3628

PHONE:

571.272.5588 571.273.8300

FAX:
FROM:

Rudolph P. Hofmann

DIRECT DIAL:

(612) 607-7340

EMAIL

RHofmann@oppenheimer.com U.S. Patent Application 09/704,838

RE:

Our File No. 60021-375901

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that an Amendment and Response to Final Office Action is being facsimile transmitted on the date shown below, to Mail Stop RCE, U.S. Patent and Trademark Office.

Janet Byrne

11-29-05

Date

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Approved for use through 10/31/2002. OMB 0651-0031

U.s. Patent and Trademark Office: U.s. DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

09/704,838 **Application Number** REQUEST November 1, 2000 **FOR** Filing date Ronald E. Sloan CONTINUED EXAMINATION (RCE) First Named Inventor 3628 Art Unit TRANSMITTAL K.S. Apple Address to: Examiner Name MS RÇE 60021-375901 Attorney Docket Number Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114								
a. Previously submitted								
	I, 🛛	Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on October 28, 2005. (Any unentered amendment(s) referred to above will be entered).						
	ii. 🗖	Consider the arguments in the Appeal Brief or Reply Brief previously filed on						
	b. 🔲	Enclosed						
	i, 🔲	Amendment(s)/Reply iii. Information Disclosure Statement (IDS)						
	ii. 🗌	Affidavit(s)/Declaration(s) iv. Other and Returned Postcard.						
2. Miscellaneous								
	a. Suspension of action on the above-identified application is requested under 37 CFR 1.103© for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)							
l	b. 🗌	Other 11/30/2005 HGUTEMA1 00000051 501901 097048						
3.	3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. 790.00 DA							
	a. 🛛	The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. <u>50-1901</u> .						
57 POE 5 revised under 27 CER 1 17/e) × \$700 (Large entity)								
ii. 🔯 Extension of time fee (37 CFR 1.136 and 1.17) - \$120 (Large entity). 11/30/2005 HGUTEMA1 00000032 501901 00								
	iii. Other 01 FC:1251 120.00 DA							
	ь. 🔲							
	c. 🗆	Payment by credit card (Form PTO-2038 enclosed)						
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.								
		SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED						
Name (Print/Type)		e) Rudolph P. Hofmann Registration No. (Attorney/Agent) 38,187						
	gnature	Date: November 29, 2005						
		CERTIFICATE OF MAILING OR TRANSMISSION						
en	velone addresse	at this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an ed to: MS RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent files on the date shown below.						
Na	ame (Print/Typ	ge) Janet Byrne 20, 2005						
SI	gnature	Date: November 29, 2005						

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for FY 2005 Patent fees are subject to annual revision. Applicant Claims Small Entity			Applica	tion Nu	mber		09/704,838		
				ing Date			November 1, 2000		
				med Inv			Ronald E. Sloan		
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			Group Art Unit			3628			
			Attorney Docket No.:			60021-375901			
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Х	Charge A	ny Add'I Fee Required		1053	130	1053	130	Non-English specification	
	Under 37	CFR 1,16 and 1.17		1812	2,520	1812	2,520	Filing a request for ex parte reexamination	
	Descrip	t Enclosed:		1804	920*	1804	920*	Requesting publication of SIR prior to	
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		FEE CALCULATION		1805	1,840*	1605	1840*	Examiner action	
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430"	215*	Design filing fee		1254	2,160	2255	1,0B0		
660*	330*	Plant filing fee		1401	500	2401	250	Notice of Appeal	
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200	100	Provisional filing fee	\$0.0			_	500	Request for oral hearing	
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50	25	Claims in excess of 2 independent claims in	O excess of 3	1 502	. 40			property (times number of properties)	
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		over original patent		181	D 790	. 2011		examined (37 CFR 1.129(b))	-
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Name		Rudolph F	. Hofmann	3B,1	107		$\neg au$		
Signat	ture		· /				Da	nte: //- 29-05	